## REMARKS

Claims 1-7, 11-17, and 21-27 remain pending in the application. Claims 8-10, 18-20, and 28-30 are withdrawn pursuant to a preliminary election. If the examiner withdraws the restriction requirement, then claim 18 is amended to correct a minor error unrelated to the patentability of the claim.

### I.    35 U.S.C. § 121

The Office Action requires a restriction to one of the following sets of claims:

I.   Claims 1-7, 11-17, and 21-27 (Group I);

II.  Claims 8-10, 18-20, and 28-30 (Group II).

In response to the Restriction Requirement, Applicants provisionally elect Group I *with* traverse.

The examiner states that:

> Inventions of Group I and Group II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention Group I has separate utility such as classifying and logging events for reporting security situation by storing event attributes as an event set. An the invention Group II has the utility of performing mathematical operations such as addition, arithmetic mean, and geometric mean on a plurality of delta severity levels which is different from event logging and classification in Group I and it is used as a tool for establishing severity level for multiple groups of computers. See MPEP § 806.05(d).

Office Action of February 15, 2005, p. 2.

Applicants traverse the restriction requirement on the basis that the inventions in Group II do not have separate utility from the inventions in Group I. For example, the invention described in claim 8, which is representative of Group II, does not have separate utility from the invention described in claim 1, which is representative of Group I. Claim 1 is as follows (emphasis added):

> 1.     A method in a data processing system for reporting security situations, comprising the steps of:
> > logging events by storing event attributes as an event set, wherein
> > > each event set includes a source attribute, a target attribute and an event category attribute;
> > classifying events as groups by aggregating events with at least one
> > > attribute within the event set as an identical value;
> > calculating severity levels for the groups;
> > *calculating delta severities from the severity levels; and*

> *propagating the delta severities to a higher-level correlation
> server.*

Claim 8 is as follows (emphasis added):

> 8.      A method, in a data processing system, of establishing a severity
> level for multiple groups of computers, comprising:
>> receiving a plurality of delta severity levels;
>> performing a first mathematical operation on the plurality of delta
>>> severity levels to form a new delta severity level;
>> if the data processing system is the top level of a hierarchy of
>>> servers, performing a second mathematical operation on the
>>> new delta severity level and a stored severity level to form a
>>> new severity level; and
>> *if the data processing system is not the top level of a hierarchy of
>>> servers, propagating the new delta severity level to a
>>> higher-level correlation server.*

In issuing the restriction requirement, the examiner ignores the emphasized limitations of both claim 1 and claim 8. Claim 1 requires more than classifying and logging events as claimed. Claim 1 also requires the steps of calculating delta severities from the severity levels and propagating the delta severities to a higher-level correlation server. Similarly, claim 8 requires more than just performing mathematical operations on a plurality of delta severities. Claim 8 also describes how to process delta severities once calculated. Because the examiner ignored these limitations, the examiner missed the fact that claims 1 and 8 do not have separate utility. When the two claims are read side-by-side, one readily sees that claim 8 clearly describes details of a process such as that described in claim 1. Moreover, claim 8 is not understandable without the disclosure related to claim 1.

A restriction requirement is not proper if the subcombination does not have separate utility over the other combination or subcombination. MPEP § 806.05(d); see also MPEP § 806.05(c). In this case, the subcombination described in claim 8 does not have utility over the combination described in claim 1 because the invention of claim 8 could not be used without understanding the invention of claim 1. One of ordinary skill would not understand the context of claim 8 such as, for example, why or how one would receive delta security levels, why or how one would perform "a first mathematical cooperation...to form a new delta security level," why or how one would perform "a second mathematical operation on the new delta severity level" if the data processing system is the top level of a hierarchy of services, or why or how one would propagate "the new delta severity level to a higher-level correlation server" if the data processing system is not the top level of a hierarchy of servers. Whereas the invention of claim 8 makes

sense as an independent claim in the context of the overall disclosure and in the context of the invention of claim 1, claim 8 has no use beyond the methods described in the application. Thus, the invention of claim 8 does not have separate utility with respect to the invention of claim 1. Accordingly, the restriction requirement is improper and should be withdrawn.

In addition, the examiner has the burden to show how the invention of claim 1 has separate utility from the invention of claim 8. MPEP § 806.05(d). In view of the above, and in view that the examiner ignored limitations of both claims 1 and 8 when fashioning the restriction requirement, the examiner has failed to meet this burden. Thus, the examiner has failed to state a proper restriction requirement. Applicants therefore request that the restriction requirement be withdrawn.

Claims 1 and 8 are representative of Groups I and II, respectively. Thus, the restriction requirement with respect to the other claims should be withdrawn for the same reasons described above.

Although the restriction requirement is improper, Applicants are required to elect provisionally one of the groups identified by the examiner. Applicants hereby elect Group I, claims 1-7, 11-17, and 21-27 *with* traverse.
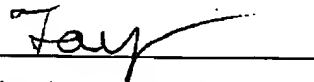
## II.     Conclusion

Applicants request that the restriction requirement be withdrawn and that all claims be allowed.

The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

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Respectfully submitted,

Theodore D. Fay III
Reg. No. 48,504
Yee & Associates, P.C.
P.O. Box 802333
Dallas, TX 75380
(972) 385-8777
Attorney for Applicants

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